



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ४, अंक ९]

सोमवार, फेब्रुवारी १२, २०१८/माघ २३, शके १९३९

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक २३

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Hyderabad Atiyat Inquiries (Amendment) Ordinance, 2018 (Mah. Ord. VI of 2018), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

RAJENDRA G. BHAGWAT,

I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

(Translation in English of the Hyderabad Atiyat Inquiries (Amendment) Ordinance, 2018 (Mah. Ord. VI of 2018), published under the authority of the Governor).

REVENUE AND FORESTS DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 12th February 2018.

MAHARASHTRA ORDINANCE No. VI OF 2018.

AN ORDINANCE

further to amend the Hyderabad Atiyat Inquiries Act, 1952.

WHEREAS both Houses of the State Legislature are not in session ;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Hyderabad Atiyat Inquiries Act, 1952 for the purposes hereinafter appearing ;

Hyd. Act
No. X of
1952.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title and commencement. **1.** (1) This Ordinance may be called the Hyderabad Atiyat Inquiries (Amendment) Ordinance, 2018.

(2) It shall come into force at once.

Amendment
of section 6 of
Hyd. Act No.
X of 1952.

2. In section 6 of the Hyderabad Atiyat Inquiries Act, 1952,—

Hyd. Act
No. X of
1952.

(a) before the first proviso the following proviso shall be inserted, namely :—

“ Provided that, the Government may allow transfer of land under such grants if such land,—

(i) is reserved for any public purpose in the draft or final Development Plan prepared as per the provisions of the Maharashtra Regional and Town Planning Act, 1966 and is required by the Appropriate Authority or the Planning Authority ; or

Mah.
XXXVII
of 1966.

(ii) is required for any medical or educational purpose : ”;

(b) in the first proviso, for the words “Provided that” the words “Provided further that” shall be substituted.

STATEMENT

The Hyderabad *Atiyat* Inquiries Act, 1952 (Hyd. Act No. X of 1952) applies to Hyderabad Area of the State of Maharashtra, that is to say, Marathwada. The said Act is applicable in respect of lands known as “*Khidmatmash Inam Lands*” being the lands provided to various *Devasthans* for meeting daily expenses. Section 6 of the said Act provides for prohibition of alienation or encumbrance and exemption of attachment by Court.

2. Due to rapid urbanisation, said lands now form part of urban areas. Even if the respective final Development plans or Regional plans applicable in respect of such urban areas provide reservation of those lands for various purpose, in view of the provisions of said section 6, it is not possible for such lands to be used in accordance with the relevant Development Plans or Regional Plans.

3. With a view to ensuring that the “*Khidmatmash Inam Lands*” may be used for public purposes envisaged under Development plan or for medical or educational purpose, it is considered expedient to provide that, the Government may allow transfer of land under such grants if such land is reserved for any public purpose in the draft or final Development plan and is required by the Appropriate Authority or the Planning Authority ; or if such land is required for any medical or educational purpose, by amending the said Act of 1952 suitably.

4. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Hyderabad *Atiyat* Inquiries Act, 1952 (Hyd. Act No. X of 1952), for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 9th February 2018.

CH. VIDYASAGAR RAO,
Governor of Maharashtra.

By order and in the name of the Governor of Maharashtra,

MANU KUMAR SRIVASTAVA,
Principal Secretary to Government.